

UNITED STATES DISTRICT COURT

May 16, 2025

SEAN F. MCAVOY, CLERK

for

Eastern District of Washington

U.S.A. vs.

Cliett, Benjamin D

Docket No.

0980 1:22CR02111-MKD-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Maria Balles, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant, Benjamin D Cliett, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Alexander C. Ekstrom, sitting in the Court at Yakima, Washington, on the 16th day of November 2022, under the following conditions:

Standard Condition #1: Defendant shall not commit any offense in violation of federal, state or local (including tribal) law. Defendant shall advise the supervising United States Probation/Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement. Defendant shall not work for the United States government or any federal or state law enforcement agency unless Defendant first notifies the supervising United States Probation/Pretrial Services Officer in the captioned matter.

Standard Condition #8: Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21U.S.C § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may no use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 16, 2022, the defendant appeared before the Court for a detention hearing. The defendant was released on pretrial supervision with conditions.

On November 22, 2022, a U.S. Probation officer reviewed with Mr. Cliett all of the conditions of pretrial release. Mr. Cliett signed his release conditions, acknowledging and understanding.

Violation #1: The defendant is considered to be in violation of his conditions of pretrial release by committing the offense of third degree driving while license suspended, on or about May 13, 2025.

On May 13, 2025, Moxee Police Department (MPD) Officer Kline observed a vehicle with Washington license plate CPU0539, traveling northbound on University Parkway. Officer Kline checked the plate for inquiry and received a Washington State driver's license return showing the registered owner as Mr. Cliett, with a third degree suspended/revoked driver's license. Officer Kline contacted Mr. Cliett who was subsequently cited for Third Degree Driving While License Suspended, a violation of Revised Code of Washington (RCW) 46.20.342.1C. Mr. Cliett was advised he would receive a court date in the mail. At the time of this petition, the charge remains pending.

Violation #2: The defendant is considered to be in violation of his conditions of pretrial release by committing the offense of possessing a controlled substance, on or about May 13, 2025.

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On May 13, 2025, MPD Officer Kline contacted Mr. Cliett for driving with a suspended license, and immediately observed a makeshift “tooter” (device used to ingest drugs), in the driver door pocket. Mr. Cliett’s vehicle was searched, and Officer Kline located four separate tooters that had clearly been used and had some white and brown residue on the mouth pieces at the end of the tubes. A further search of the vehicle yielded a full roll of tinfoil, four hypodermic needles, multiple pages of notebook paper listing dollar amounts, and what looked to be math equations. Additionally, a glass jar containing a white crystalized substance that officer Kline recognized as methamphetamine was discovered. Mr. Cliett took ownership of the jar and reported he was a casual methamphetamine user.

Mr. Cliett was cited for Controlled Substance Know Possess, a violation of RCW 69.50.4013.1A, and was advised he would receive a court date in the mail. At the time of this petition, the charge remains pending.

Violation #3: The defendant is considered to be in violation of his conditions of pretrial release by failing to report law enforcement contact that occurred on May 13, 2025, within one day as required, to the undersigned officer.

Mr. Cliett was contacted by law enforcement on May 13, 2025 at approximately 7:23 p.m. He received a citation by the MPD officer that same date. Mr. Cliett failed to contact this officer within one day of having law enforcement contact. Mr. Cliett sent the undersigned officer a text message on May 15, 2025, indicating that he had law enforcement contact.

Violation #4: The defendant is considered to be in violation of his conditions of pretrial supervision by admitting to smoking and possessing illegal controlled substances, methamphetamine, on or prior to May 13, 2025.

On May 13, 2025, during the law enforcement contact, when asked by Officer Kline if he had any illegal drugs inside of the vehicle, Mr. Cliett stated that there was drugs earlier in the day, but that he had smoked it all. Additionally, regarding the glass jar containing a white crystalized substance that Officer Kline recognized as methamphetamine, Mr. Cliett took ownership of the methamphetamine and reported he was a casual user.

PRAYING THAT THE COURT WILL ORDER A WARRANT

I declare under the penalty of perjury that
the foregoing is true and correct.

Executed on: May 15, 2025

by s/Maria Balles

Maria Balles

U.S. Pretrial Services Officer

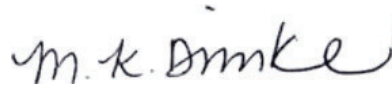

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

May 16, 2025

Date